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IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor                      Giuseppe DE'LONGHI  
Patent App.                  10/519,703  
Filed                          23 December 2004                      Conf. No. 7270  
For                              PASTA COOKING DEVICE AND METHOD  
  
Art Unit                      1761                                      Examiner   Simone, T  
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TERMINAL DISCLAIMER TO OVERCOME A DOUBLE-PATENTING REJECTION

The undersigned states:

That he is the duly appointed attorney for the inventor  
of the above-captioned application;

That 100% ownership of application 10/519,703 has been  
assigned to DE' LONGHI S.p.A. in an assignment recorded in the  
parent PCT application.

That the undersigned hereby disclaims the terminal part  
of any patent granted on application 10/519,703 which would extend  
beyond the expiration date of the full statutory term defined in 35  
USC 154-156 and 173, as currently shortened by any terminal  
disclaimer, of patent 7,105,780 and hereby agrees that any patent  
so granted on application 10/519,703 shall be enforceable only as  
long and during such period as the legal title thereto shall be the  
same as the legal title to patent 7,105,780, this agreement to run  
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upon the grantee thereof, its successors, and assigns; and

In making the above disclaimer the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154-165 and 173 of patent 7,105,780, as currently shortened by any terminal disclaimer, in the event that it later either expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as currently shortened by any terminal disclaimer.

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